

**MEMO ENDORSED**

U.S. Department of Justice

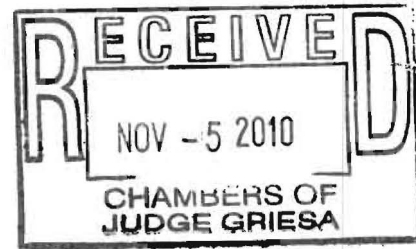
United States Attorney  
Southern District of New York

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

November 4, 2010

**BY HAND**

The Honorable Thomas P. Griesa  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street, Room 1630  
New York, New York 10007



Re: United States v. Mario Levis  
08 Cr. 181 (TPG)

Dear Judge Griesa:

The Government respectfully submits this letter concerning the *Fatico* hearing currently scheduled for November 10, 2010, and the sentencing scheduled for November 16, in the above-referenced matter.

As the undersigned discussed with Your Honor's law clerk this afternoon, the parties have agreed that a *Fatico* hearing is no longer necessary. Instead, any arguments concerning sentencing can be addressed in written submissions. Accordingly, the parties hereby request that the *Fatico* hearing scheduled for November 10, 2010 be canceled, and further propose that the Government's and the defendant's sentencing memoranda both be submitted to the Court on or before November 10, 2010. The parties further propose that any responses to the other party's sentencing memorandum be submitted on or before November 15, 2010.

Approved,  
Thomas P. Griesa  
USDJ 11/8/10

The Honorable Thomas P. Griesa  
November 4, 2010  
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Thank you very much for the Court's consideration of this matter.

Respectfully Submitted,

PREET BHARARA  
United States Attorney

By:   
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